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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

DEVONTAE MOTEN, aka "Vonte" and  
~~SHAWN DEMORRIS CLAY,~~

Defendants.

**Case No. 2:16-CR-0053-RFB**

**ORDER ON MOTION FOR LEAVE TO  
OBTAIN A PRE-PLEA PRESENTENCE  
REPORT**

Defendant Devontae Moten seeks leave for the preparation of a pre-plea presentence report for the limited purpose of determining Mr. Moten's criminal history to assist in finalizing the parties' plea negotiations. The Government, through Assistant United States Attorney Brandon Jaroch, does not object to Mr. Moten's request. The compilation of such a criminal history would serve the ends of justice and would not be unduly burdensome under the circumstances.

Accordingly, and for the foregoing reasons,

IT IS HEREBY ORDERED that Defendant Devontae Moten's Motion for a Pre-Plea Presentence Report for a determination of criminal history (ECF No. 46) is GRANTED.

IT IS FURTHER ORDERED that the United States Probation Office shall prepare and provide to counsel for Defendant Moten and the Government at the earliest practicable date a

1 Pre-Plea Presentence Investigation Report for the purpose of determining Defendant Moten's  
2 criminal history only.

3 **IT IS SO ORDERED.**

4 

5 **RICHARD F. BOULWARE, II**  
6 **UNITED STATES DISTRICT JUDGE**

7 **Dated** this 31st day of August, 2016.